

Serial No.: 09/708,890

REMARKS

Reconsideration of the present application is respectfully requested in view of the following remarks, which are responsive to the final Official Action mailed on September 7, 2004. In the Official Action, the Examiner rejected Claims 18-81 asserting that the inventor declarations previously submitted on May 5, 2003 and October 31, 2003 were insufficient to establish diligence in reducing the invention to practice from a date prior to the date of the references the Examiner cites. Applicants submit herewith a Second Supplemental Declaration of Prior Inventorship Pursuant to 37 C.F.R. § 1.131 (sometimes herein "the Declaration") that provides additional information establishing diligence in reducing the invention to practice from a date prior to the date of the references. Claims 18-81 remain pending in the present application and the independent claims are Claims 18, 31, 41, 48, 54, 66, 70, 73, 76, and 79.

I. Claim Rejections Under 35 U.S.C. § 102

The Examiner rejected independent Claim 48 under 35 U.S.C. § 102 as being anticipated by the American Airlines press release dated April 3, 2000 ("American reference"). The Applicants respectfully offer remarks to traverse this pending rejection.

Claim 48 is a method for displaying standby information to passengers waiting in a terminal. Applicants respectfully submit that the attached Second Supplemental Declaration of Prior Inventorship Pursuant to 37 C.F.R. § 1.131 establishes that the Applicants invented the subject matter of rejected independent Claim 48 prior to the date of the American reference on which the Examiner's rejection is based. Specifically, the Declaration establishes that the Applicants invented the subject matter of independent Claim 48 and diligently reduced the invention to practice from a date prior to April 3, 2000. Therefore, Applicants respectfully submit that the rejection of independent Claim 48 based on the American reference is rendered moot.

II. Claim Rejections Under 35 U.S.C. § 103

The Examiner rejected independent Claims 18, 31, 54, 66, and 79 as rendered obvious by the combination of the American reference and published U.S. Patent Application No. 2001/0032121 A1 to Le et al. (the "Le application"). Applicants submit that the rejection of Claims 18, 31, 54, 66, and 79 is overcome by the attached Second Supplemental Declaration of Prior Invention Pursuant to 37 C.F.R. § 1.131. The Declaration establishes that the subject matter

Serial No.: 09/708,890

of these claims was invented and was diligently reduced to practice from a date prior to the dates of the American reference and the Le application. Therefore, Applicants respectfully submit that the rejection of independent Claims 18, 31, 54, 66, and 79 based on the combination of the American reference and the Le application is rendered moot.

The Examiner rejected independent Claim 70 as rendered obvious by the American reference. The attached Declaration establishes that the subject matter of Claim 70 was invented and was diligently reduced to practice from a date prior to the date of the American reference. Therefore, Applicants respectfully submit that the rejection of independent Claim 70 based on the American reference is rendered moot.

The Examiner rejected independent Claims 41 and 76 as obvious in view of the combination of the American reference, a Northwest Airlines press release dated December 23, 1999 (the "Northwest reference"), and published PCT Application No. WO 95/27949 A1 to Ross. The Declaration establishes that the subject matter of Claims 41 and 76 was invented and was diligently reduced to practice from a date prior to the dates of the American reference and the Northwest reference. Therefore, Applicants respectfully submit that the rejection of independent Claims 41 and 76 based on the American reference and the Northwest reference is rendered moot.

The Examiner rejected independent Claim 73 as obvious in view of the combination of the American reference and the Northwest reference. The Declaration establishes that the subject matter of Claim 73 was invented and was diligently reduced to practice from a date prior to the dates of the American reference and the Northwest reference. Therefore, Applicants respectfully submit that the rejection of independent Claim 73 based on the American reference and the Northwest reference is rendered moot.

III. Dependent Claim Rejections

If an independent claim is allowable, then the claims dependent thereon should also be allowable because they add limitations to the independent claim. *In re Fine*, 5 U.S.P.Q.2d 1596, 1599 (Fed. Cir. 1988). In view of the foregoing remarks with respect to independent Claims 18, 31, 41, 48, 54, 66, 70, 73, 76, and 79, the Applicants respectfully submit that each dependent claim is patentable over the combinations of the cited references. Thus, the Applicants

Serial No.: 09/708,890

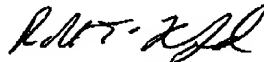
respectfully request that the Examiner withdraw the rejection of dependent Claims 19-30, 32-40, 42-47, 49-53, 55-65, 67-69, 71, 72, 74, 75, 77, 78, 80, and 81.

CONCLUSION

The foregoing is submitted as a full and complete response to the final Official Action mailed on September 7, 2004. The Applicants and the undersigned thank Examiner Oullette for considering these remarks. The Applicants have submitted remarks to traverse the rejections of Claims 18-81. The Applicants respectfully submit that the present application is in condition for allowance.

An early notice of allowance is hereby courteously solicited. If any other issues remaining in this application may be resolved by a telephone conference, the Examiner is respectfully requested to contact the undersigned at (404) 572-3509.

Respectfully submitted,



Robert T. Neufeld
Reg. No. 48,394

King & Spalding LLP
45th Floor
191 Peachtree Street, N.E.
Atlanta, Georgia 30303-1763
404.572.4600
K&S Docket: 16600.105005